

SEP 27 2022

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

Clerk, U. S. District Court
Eastern District of Tennessee
At Knoxville

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN D. ROGERS, and
MALIK M. SCOTT-BOYNTON,

Defendants.

NO. 3:22-CR- 96

JUDGES Varlan / McCook

INDICTMENT

COUNT ONE

The Grand Jury charges that, from on or about June 1, 2022, through and including on or about September 14, 2022, in the Eastern District of Tennessee and elsewhere, the defendants, BRIAN D. ROGERS and MALIK M. SCOTT-BOYNTON, did combine, conspire, confederate, and agree with one another, and others, to knowingly, intentionally and without authority, distribute and possess with intent to distribute one (1) kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, all in violation of Title 21, United States Code, Sections 846, 841(a)(1), 841(b)(1)(A).

COUNT TWO

The Grand Jury further charges that, from on or about June 1, 2022, through and including on or about September 14, 2022, in the Eastern District of Tennessee and elsewhere, the defendants, BRIAN D. ROGERS and MALIK M. SCOTT-BOYNTON, did combine, conspire, confederate, and agree with one another, and others, to knowingly, intentionally and without authority, distribute and possess with intent to distribute four-hundred (400) grams or

more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propanamide (fentanyl), a Schedule II controlled substance, all in violation of Title 21, United States Code, Sections 846, 841(a)(1), 841(b)(1)(A).

FORFEITURE ALLEGATIONS

1. The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853, Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

2. Pursuant to Title 21, United States Code, Section 853, upon conviction of an offense in violation of Title 21, United States Code, Section 841, as set forth in Count One and Count Two, the defendants, BRIAN D. ROGERS and MALIK M. SCOTT-BOYNTON shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offense and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offense, including but not limited to the following:

MONEY JUDGMENT

Proceeds the defendants, BRIAN D. ROGERS and MALIK M. SCOTT-BOYNTON personally obtained as a result of the violations of Title 21, United States Code, Sections 841.

U.S. CURRENCY

Approximately \$40,711.00 in U.S. Currency seized during the execution of a search warrant at 9112 Grayland Drive, Apartment 102, Knoxville, Tennessee;

3. If any of the property described above, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL:


GRAND JURY FOREPERSON

Francis M. Hamilton III
United States Attorney


Alan S. Kirk
Assistant United States Attorney